

REMARKS

Claims 1-37 are pending in the present application. Claims 1, 12, 23, and 30 are independent claims. Claims 1, 7, 12, and 37 have been amended. The Applicant has carefully and thoughtfully considered the Office Action and the comments therein. For the reasons given below, it is submitted that this application is in condition for allowance.

Rejection under 35 U.S.C. § 112 first paragraph

1. Claims 7-11 and 37 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 has been amended to include “one of the plurality of second” and claim 37 has been amended to include “second”. Thus Applicants respectfully request that the amended dependent claims 7 and 37 be allowed. Applicants also request that claims 8-11, which are dependent from claim 7, be allowed as being dependent from an allowable claim.

Claim Rejections under 35 U.S.C. § 101

2. Claims 1-29 are rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Office Action further states that the language of claims 1-29 would be statutory if amended to recite that the startup code is embodied in a computer readable medium.

Claims 1 and 12 have been amended to include “embodied in a computer-readable medium”. Thus Applicants respectfully request that the amended independent claims 1 and 12 be allowed.

Claim 23 is “[a] method of generating a secure startup code for use in generating a shelled application program”. Applicant believes that a methods are explicitly recited as statutory subject matter within 35 U.S.C. § 101. Thus claim 23 is in condition for allowance.

Conclusion

In light of the above amendments and arguments, it is submitted that claims 1-37 are allowable. Withdrawal of the rejections and a Notice of Allowance are respectfully requested.

Respectfully submitted,



Jeffri A. Kaminski
Registration No. 42,709
VENABLE LLP
P.O. Box 34385
Washington, D.C. 20043-9998
Telephone: (202) 344-4000
Telefax : (202) 344-8300

JAK:KDP/SJB
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